

**MINUTES
EAGAR TOWN COUNCIL
REGULAR MEETING
22 W. 2nd St., Eagar, AZ
July 19, 2011 – 7:00 P.M.**

Mayor Kim Holaway called the meeting to order and welcomed those present. Mayor Kim Holaway led the Pledge of Allegiance and Police Chief Mike Hogan offered the invocation. Mayor Kim Holaway said to let the record show that all council members were present.

COUNCIL PRESENT: Kim Holaway, Mayor
 James Nelson, Jr. Vice-Mayor
 Steve Erhart
 Gary Finch
 Debbie Rogers
 Byron Smith
 Tim Rasmussen

STAFF PRESENT: Bill Greenwood, Town Manager
 Howard Carlson, Fire Department Chief
 Mike Hogan, Chief of Police
 Eva Wilson, Town Clerk
 Marion Wiltbank, Assistant Town Clerk

ITEM #5: SUMMARY OF CURRENT EVENTS

A. MAYOR

Mayor Kim Holaway received a thank you card from Tom Beddow, who was the Incident Commander for the Wallow Fire BAER Team (Burn Area Emergency Response Team). The BAER Team used the Town's meeting rooms; they have done a great job and we were happy to have them in our community.

Several Councilors meet with Clint Chandler last week, who is United State Senator Jon Kyl's top Aide, to discuss the Ten-Year Economic Plan that was developed with Springerville and we are hoping we can met with Senator Kyl as well as United State Senator John McCain and United State Representative's Paul Gosar and Jeff Flake in early August. U. S. Representative Gosar is holding a Joint Town Hall Meeting, "Forum For Our Forest", and it will be held on Wednesday, August 10th at the Round Valley High School Auditorium at 5:00 p.m. Representative Gosar and Representative Flake have also initiated some legislature for the Wallow Fire.

State Senator Sylvia Allen along with State Senator Gail Griffin and State Representatives Brenda Barton and Chester Crandell from our area is holding a Public Hearing on Thursday, July 28th at 6:30 p.m. in the Alpine Community Center to talk about the Wallow Fire.

Councilor Gary Finch said we wanted to make sure to check on those dates, when it comes close to the time, as there could be some errors to the dates. If the Mayor gets an update on times, she will forward it to the clerk to forward to everybody.

The Forest Service is holding some workshops. These are a little bit sketchy right now. She has the draft of it. It's Recovery and Restoration Workshops and they are on July 28th. One is 2:00 p.m. to 4:30 p.m. and one is 6:00 p.m. to 8:30 p.m. They are going to be somewhere in Round Valley. She will forward these meetings also.

Bashas` is encouraging everybody to shop local. Mayor Holaway read a part of the letter from Eddie Bashas` "For a lot of us the White Mountains are a favorite summer getaway, a cool scenic retreat. It feels a thousand miles removed from our scorching deserts. In fact the economies of White Mountain communities like Pinetop, Greer, Snowflake, Taylor and Eagar depend on summer time tourism." He goes on to say, "unfortunately tourism is down, but the forests are still there and we need to encourage our Arizona grocery shoppers to shop local and vacation local."

Lastly, the Arizona Department of Transportation sent a reply letter to Mayor Holaway denying the HURF swap.

B. COUNCIL

Councilor Byron Smith reported that he attended the Forest Tour that was given to the Eagar and Springerville Town Councils. It was a very interesting tour and he appreciated the knowledge of the Assistant Forest Supervisor who was the tour guide. There was a lot of green still up there and Big Lake was still there. There was a lady there watching an eagle's nest with little eaglets that had survived the fire. There are still a lot of places our families and tourists can enjoy on the mountain.

C. STAFF

Town Manager Bill Greenwood reported on the first small test of the drainage system today. A rain cell further up the mountain ran quit a bit of black water down Dry Wash, which is down Spanish Trail and also A Wash, which is behind Dr. Erhart's. The crews have been working hard with some over time. There is approximately \$15,000 to \$20,000 of reimbursement the Town will receive that will offset some of last three weeks of work. The Town will not get reimbursed for flushing out culverts. Fire Chief Howard Carlson and Fire Captain Pat Beard spent a miserable day with a fire hose cleaning out two 4-foot culverts that were approximately three-fourths full of silt and debris. Their efforts are appreciated, they did a good job; it's been a team effort.

Mr. Greenwood extended an invitation to the Council if they would like a tour of the flood mitigation work. Mayor Holaway was taken on a tour last Thursday, and there has been more mitigation completed since then.

Town Clerk Eva Wilson reported that the Town of Eagar received a Silver Award of Excellence from the Arizona Municipal Risk Retention Pool as the Town only had 1% to 10% of casualty and property damages in the year 2010. That's a fairly low percentage as far as the Risk Pool is concerned. Ms. Wilson thanked all of the department heads and employees for trying to run a safe operation.

ITEM #6: OPEN CALL TO THE PUBLIC

Round Valley School Superintendent Travis Udall and Counselor Jeff Udall came forward to present the Eagar Police and Fire Departments with a plaque and check to each department. Jeff Udall said that Eagar was under evacuation orders when the Ulrich family's fatal plane crash one-year anniversary was to occur. The anniversary memorial was cancelled due to the Wallow Fire. The 35 family and friends of the Ulrich family who flew from Florida to come up here to Round Valley, instead gathered to memorialize and remember them in Fountain Hills. Mr. Jeff Udall and his wife, Darla, attended the memorial. The family and friends are absolutely grateful to the Eagar Police and Fire personnel. The school district has a memorial area and memorial bench placed at Round Valley High School.

Mr. Travis Udall said that the family was very understanding of the situation, but heartbroken, as they were looking for closure. The friends and family were grateful to Jeff and his wife for representing our communities. The Ulrich Family and friends have expressed over and over again all year long how different this community treated them compared to communities in Florida and the east coast. It is unbelievable how people respond to their situation on facebook, phone calls and emails; it was a very good sincere situation.

Jeff Udall said they don't want Show Low, Vernon and Alpine, all the other departments that came in to help, to feel slighted because they won't receive a plaque and check, its just too many. They are so grateful to everyone. Pictures were taken with both fire and police departments to show to the family and friends of the Ulrich family.

Mayor Kim Holaway said that on behalf of the Eagar Council that the Eagar Fire and Police Departments are truly appreciated, it is not stated very often, and the Town is truly very proud of the police and fire departments. They do a terrific job and the community is very supportive of them as well. On behalf of the Town Council please accept our congratulations and sincere gratitude.

Springerville-Eagar Regional Chamber of Commerce Director Becki Christensen reported she attended the Governor's Conference on Tourism last week in Scottsdale. Tourism in Arizona last year was up by quite a lot. That may not have translated here, but the good news is that people are coming to Arizona, so we can work on getting them here. She did let everybody know that the community is still green. Ms. Christensen wants pictures of parts of the forest that are still green to put on the website, to counteract all the pictures down in the Valley of the black trees. It is good news to know that there are lots of places like that.

The Chamber will hold a breakfast mixer Thursday, July 21st at 7:00 a.m. at Trailriders. This is going to be a brainstorming session about buying local. Discussion will include ways of identifying the products that we do not have in the community that our citizens go across the mountain to get. Brainstorm how these products can be carried by local businesses or attract the businesses that do have those products. Another focus will be how to educate citizens on the connection between where they spend their tax money and maintenance of local streets, parks, and infrastructure. Also want to brainstorm ways to help businesses become more competitive, and make buying local fun.

St. Johns Chamber of Commerce and the Springerville-Eagar Regional Chamber of Commerce are partnering to bring in an event called Country Fire to Lyman Lake on Labor Day weekend; it will probably be two evenings or two afternoons. Plans for country music, vendors, games and hopefully Game and Fish will tag some fish so that prizes can be awarded. The St. Johns Chamber Director and Ms. Christensen feel a need to partner as sister cities to compete with the bigger cities over the mountain; together we can make a bigger effect.

There will be a conference call tomorrow at 2:00 p.m. with Tony Kyle to discuss plans for the Round Valley marketing venture.

Ms. Christensen added that she saw on the agenda that Town Manager Bill Greenwood was going to talk about the Wallow Fire. Ms. Christensen received an email today from the Forest Service that they are going to hold an Open House this Friday, July 22nd from 6:00 p.m. to 8:00 p.m. at the Forest Supervisor's Office.

ITEM #7: UNFINISHED BUSINESS

A. DISCUSSION AND CONSIDERATION OF A MEMORANDUM OF UNDERSTANDING WITH THE SPRINGERVILLE-EAGAR REGIONAL CHAMBER OF COMMERCE REGARDING THE CHAMBER'S OBLIGATIONS TO THE TOWN OF EAGAR AND THE TOWN OF EAGAR'S CONTRIBUTION

Mayor Holaway stated that this had been on the agenda two months ago but Council could not vote on it because of some new information that Becki Christensen had shared; that issue has since been resolved. Becki Christensen said that the Town of Springerville did approve their budget and it included the funding of the Visitor Center for at least six months; all arrangements of the Visitor Center, the Chamber, and museums will remain the same for at least six months.

Vice-Mayor James Nelson, Jr. moved to approve the Memorandum of Understanding with the Springerville-Eagar Regional Chamber of Commerce regarding the Chamber's obligations to the Town of Eagar and the Town of Eagar's contribution. Councilor Steve Erhart seconded; all were in favor, motion carried unanimously. 7-0

B. DISCUSSION, CONSIDERATION AND SECOND READING OF ORDINANCE 2011-06 APPROVING THE 2011 AMENDMENTS TO THE MODEL TAX CODE OF THE TOWN OF EAGAR

Town Manager Bill Greenwood said this is an annual update from the League of Arizona Cities and Towns with changes to the Model Tax Code. After questions, Mr. Greenwood explained that the Town could pull out and administer the collection of transaction taxes independently, but the League encourages municipalities to stick together as a unit for protection, practicality and some benefit to the business community. If municipalities act on their own, which can be done, then the risks are that lobbyist and special interest groups will attack and vote for taxes or legislation leaving an independent municipality to fight them alone.

Vice-Mayor James Nelson, Jr. moved to approve Ordinance 2011-06 approving the 2011 Amendments to the Model Tax Code of the Town of Eagar. Councilor Debbie Rogers seconded; all were in favor, motion carried unanimously. 7-0

C. REPORT – WALLOW FIRE UPDATE

Mr. Greenwood thanked Ms. Christensen on the Forest Service Open House update as his computer has been down since last Wednesday and he has not had the latest news.

The county engineer reported that .28 inches of rain fell today, which is not a lot of rain. However, due to the intensity and location of the rain Spanish Trail Road has two 24-inch culverts with clean drainages and clean culverts, the water overflowed those two culverts and there was water running up against two houses with two or three block stem walls; however the runoff did not get high enough to enter the houses. This storm wasn't even 15 minutes in duration yet Spanish Trail has the black mark evidence of the water's path. The water was running bank to bank a foot and a half deep, 10-15 feet wide in some places. Luckily there have been slow gentle rains; these little micro bursts/cloud bursts can be devastating and it is hard to predict where and when they will hit.

There are three canyons running off Point of the Mountain into Dry Canyon and they are steep canyons that have all burned bringing down ash and black today. The same scenario occurred in A Wash through the Big Ditch; it is a smaller drainage but there is enough burn up there it was also flowing black ash. There is ring around the tub effect on these drainages that can be seen at the Hawley Lake Subdivision. The head gate is open off the Big Ditch running laterally to Rick Whiting's fields. The fields show evidence of the water sheeting which is preferable, spreading out 50 yards and a half a foot deep and that's what you want so it doesn't make channels and it will go down through there and actually do some good. The idea was to take some of the pressure off the Big Ditch and try not to silt it up as it goes on around the corner.

The last big piece crews will work on is barricading a section on LeSueur Drive that runs into Amity. There are enough barricades provided to barricade the wash from the Big Ditch down to Amity to Voight LeSueur's pasture. If the Big Ditch is breached in this area, water coming

down the LeSueur drainage or what remains in the Big Ditch can flow into those fields. Reserve Funds have been used for 1,500 lineal feet of concrete barricades.

Councilor Gary Finch had concerns that the ash would have some sort of detrimental effect to those fields that provide feed for animals and if the Town would have to pay for the damages and expenses. Mr. Greenwood stated that the Town has obtained signed easements agreements from property owners. The ash isn't known to cause a problem; in fact it has proved to be beneficial. Mr. Greenwood gave an example of when he lived in Oregon when St. Helen's blew and down in Yakama there were places that had two solid inches of volcanic ash on the alfalfa fields. The following year was a bumper crop of alfalfa on those same fields. However, fish in the rivers will be heavily affected from the ash. It is ugly the first go around but normally it proves to be beneficial, as long as the flooding does not create gorges. The Town can make some restitution if needed, but from everything that has been learned recently and from experience hopefully that is not going to be a problem.

Councilor Steve Erhart reported that he observed A Wash right as water was showing up, and right before it got to Big Ditch it silted and spread flat for 30-40 yards on his father's property and was starting to back up towards Safari Drive. Councilor Erhart stated it took thirty-five minutes for the water to come down and it was from nothing that fell in town it was from up in the mountains.

Mr. Greenwood reported that the first culvert in the Hawley Lake Subdivision has some straw piled up. This is the first flush and hopefully the next flow won't carry as much ash, straw, and sediment with it. Silting and sediment in the ditches and washes is a big concern right now as it allows for overflow in a lot of places. Tom Beddow has asked if straw is seen coming down in the drainages to report the location.

Councilor Tim Rasmussen commented that Water Canyon isn't running water like these other washes are. Mr. Greenwood stated several reasons for this is that this particular cell came up and went across further west. Water Canyon is a much bigger and longer drainage for the water to flow, and there may be a plug further up the canyon. A larger drainage has the potential to run a lot more water than the other two. The severe burns on Water Canyon are way up high and flat land below with lots of draws for stuff to catch and filter out. However, engineers are saying to watch out for Water Canyon because it can flow four times what the other drainages can due to the size of the watershed.

Councilor Rasmussen asked if the sewer ponds could still be in danger. Mr. Greenwood stated that Eagar's ponds are in good shape, and he does not know how much work Springerville is putting into their sewer ponds, as they are more likely to flood from Riggs Creek and Rudd Creek that come into the Nutrioso Creek below Nelson Reservoir. Its just a matter of a storm cell hitting in that particular are for 20-30 minutes and it could run a lot of water in that drainage. Councilor Debbie Rogers reported there have already been some major washouts on Rudd Creek and it can be seen higher up on Sipe's.

After discussion on how the flooding can occur quickly with no warning, how drainages and ditches have been dug out, and that children and adults are known to play in these areas, it

was decided that the citizens need to be warned of the flash flood danger. Warning notices and flyers will be prepared to be distributed, the warning will be placed on the Eagar website, placed on the mobile electronic signs, possibly sending out a mailer and placing the warning on August water bills. Vice-Mayor James Nelson, Jr. asked that some action be taken by end of the week.

ITEM #8: NEW BUSINESS

A. DISCUSSION AND CONSIDERATION OF RESOLUTION 2011-22 DECLARING ORDINANCE 2011-06 A PUBLIC RECORD FILED IN CLERKS OFFICE

Town Clerk Eva Wilson stated that this Resolution declares that the Eagar Model Tax Code is filed in the Town Clerks office, instead of being published in its entirety in the White Mountain Independent; the size of this code would probably take up four pages in print. Passage of the Resolution will save advertising costs and the public is welcome to view Ordinance 2011-06 in the Town Clerk's office.

Councilor Debbie Rogers moved to approve Resolution 2011-22 declaring Ordinance 2011-06 a Public Record filed in Clerks Office. Vice-Mayor James Nelson Jr. seconded; all were in favor, motion carried unanimously. 7-0

B. DISCUSSION AND CONSIDERATION TO APPROVE A REDEMPTION OF PRIOR SERVICE PURCHASE IN THE AMOUNT OF 1.5 YEARS AND \$45,328 TO BE PAID BY THE TOWN OF EAGAR GENERAL FUND FOR LIEUTENANT FRED FRAZIER'S SERVICE PURCHASE

Mayor Kim Holaway inquired as to how this arrangement will be working a year from now. Chief Mike Hogan stated that the police department is willing to try this as the department is looking for a solution to cut the budget. If it doesn't work and a position needs to be hired, money will still be saved by hiring an entry-level position. If it works out and a new position is not needed then it is a bigger savings.

Councilor Gary Finch inquired if there is enough experience on the top end to guarantee that an entry-level position would be sufficient. Chief Hogan stated that it is advantages to hire a certified officer with experience at a higher salary and it would still be a cost savings over Lt. Frazier's salary.

Town Manager Bill Greenwood stated that the benefit would be having a sergeant on each shift having upper level management spread wider. An entry-level position is a patrol officer not a sergeant. There is enough experience on the top end of the police department in this scenario. The hours for the two sergeant shifts is yet to be decided, but the seasoned sergeants will be covering the same shifts as the patrol officers so that they can share their experience, knowledge and mentorship.

Councilor Steve Erhart stated that he can see the monetary savings but there is also a value on the service received from Lt. Frazier's employment and that will be missed. Lt. Frazier said he has worked for the town 18 ½ years and 5 ½ years in Mesa.

Vice-Mayor James Nelson, Jr. moved to approve redemption of prior service purchase in the amount of 1.5 years and \$45,328 to be paid by the Town of Eagar General Fund for Lieutenant Fred Frazier's service purchase. Councilor Gary Finch seconded; all were in favor, motion carried unanimously. 7-0

C. DISCUSSION AND CONSIDERATION OF RESOLUTION 2011-25 AMENDING THE TOWN OF EAGAR FEE SCHEDULE FOR CONTRACTED SECURITY OR TRAFFIC CONTROL (OFF-DUTY POLICE OFFICERS) AND CONTRACTED POLICE VEHICLES

Chief Mike Hogan stated that in 2007 a resolution was approved establishing a fee for off-duty security police officers and the use of town vehicles. The resolution stated that these fees would be adjusted when the Council approved a cost of living adjustment. However, as of the last cost of living adjustment, the fee increase was neglected. In speaking with Finance Administrator Katie Wood, the current fee no longer covers the cost of off-duty security with overtime. The suggested fee is \$55 per hour for an off-duty police officer. In speaking with Head Mechanic Frank McLaughlin, the suggested fee is \$5 per hour for police vehicle.

Vice-Mayor James Nelson, Jr. moved to approve Resolution 2011-25 amending the Town of Eagar Fee Schedule for Contracted Security or Traffic Control (off-duty Police Officers) and Contracted Police Vehicles. Councilor Debbie Rogers seconded; all were in favor, motion carried unanimously. 7-0.

D. DISCUSSION AND CONSIDERATION TO AUTHORIZE MAYOR KIM HOLAWAY TO SIGN A RESOLUTION IN SUPPORT OF SENATE BILL 1344

Councilor Debbie Rogers stated that in reading proposed Resolution appreciates all that Senators Kyl and McCain are proposing, yet Councilor Rogers is concerned that with the environmental compliance through the National Environmental Policy Act of 1969 (NEPA), progress will continue to be stifled even though the Senate Bill 1344 stipulates action to be taken in 18 months. Senator McCain had made a statement that private industry would have a difficult time accepting a 10-year contract due to the expense of starting new operations, however a 20-year commitment may be more enticing. Councilor Rogers added that while salvage of timbers is the priority right now, she would like the overall forest health to be addressed as well.

Mr. Greenwood agreed that the salvage needs to start soon as the timber won't last that long.

Vice-Mayor Nelson stated that this Senate Bill provides the mechanism to get salvage timber. The non-burnt timber is not covered under this Bill; therefore any other logging will need to comply with NEPA. Removing NEPA from all forest industry would be controversial and the current language in the Bill helps ensure the salvaging of the burnt timber.

Councilor Rasmussen inquired as to whether local contractors are currently allowed to cut the salvage. It is known that George Geisler and Reidhead crews are removing the hazard trees 200 feet from the roads.

Councilor Steve Erhart added that two million pounds of seed has been purchased to reseed according to Tom Beddow. When reseeded was performed after the Rodeo/Chedeski, forest entry was immediately shut down. Councilor Gary Finch stated salvage logging disturbs the soil and breaks up the upper crust, so the seeds and the water can take hold. Councilor Rogers added that range animals also help break up soil and leave fertilizer.

Vice-Mayor James Nelson, Jr. moved to approve authorizing Mayor Kim Holaway to sign Resolution 2011-26 supporting United States Senate Bill 1344, Arizona Wallow Fire Recovery and Monitoring Act to Expedite the Removal of Hazard, Dead and Dying Trees. Councilor Gary Finch seconded; all were in favor, motion carried unanimously. 7-0

ITEM # 9: EXECUTIVE SESSION

- A. EXECUTIVE SESSION AS ALLOWED BY A.R.S. §38-431.03.A.1. – DISCUSSION OR CONSIDERATION OF EMPLOYMENT, ASSIGNMENT, APPOINTMENT, PROMOTION, DEMOTION, DISMISSAL, SALARIES, DISCIPLINING OR RESIGNATION OF A PUBLIC OFFICER, APPOINTEE OR EMPLOYEE OF ANY PUBLIC BODY, EXCEPT THAT, WITH THE EXCEPTION OF SALARY DISCUSSIONS, AN OFFICER, APPOINTEE OR EMPLOYEE MAY DEMAND THAT THE DISCUSSION OR CONSIDERATION OCCUR AT A PUBLIC MEETING – TOWN MANAGER PERFORMANCE EVALUATION

Councilor Steve Erhart moved to convene into Executive Session at 8:10 p.m. Councilor Gary Finch seconded; all were in favor, motion carried unanimously. 7-0

RECONVENE INTO REGULAR SESSION

- B. DISCUSSION AND CONSIDERATION OF ANY ACTION DEEMED NECESSARY FROM THE EXECUTIVE SESSION

Councilor Steve Erhart moved to reconvene into Regular Session at 10:10 p.m. Councilor Debbie Rogers seconded; all were in favor, motion carried unanimously. 6-0

No action was taken from the Executive Session.

ITEM #10: SIGNING OF DOCUMENTS

The required signatures were obtained for the Springerville-Eagar Regional Chamber of Commerce Memorandum of Understanding, Ordinance 2011-06; and Resolutions 2011-22, and 2011-25 (Resolution 2011-26 will be revised and submitted for signatures thereafter.)

Eagar Council Regular Session
July 19, 2011

ITEM #11: ADJOURNMENT

Councilor Gary Finch moved to adjourn the regular session at 10:10 p.m. Councilor Steve Erhart seconded; all were in favor, motion carried unanimously. 7-0

Attest: _____

Mayor: _____

Vice-Mayor: _____

Council: _____

CERTIFICATION OF COUNCIL MINUTES

I hereby certify that the foregoing minutes are true and correct copy of the minutes of the regular session of the Town of Eagar, Arizona held on July 19, 2011.
I further certify that the meeting was duly called and held and that a quorum was present.

Eva M. Wilson, Town Clerk